## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: BERNHARD3

In re Application of:

Franz-Xaver BERNHARD et al

Description

Appln. No.: Not Yet Filed

Appln. No.: Not Yet Filed

Confirmation No.

Washington, D.C.

For: A HOLDING MEANS FOR...

August 13, 2003

August 13, 2003

## INFORMATION DISCLOSURE STATEMENT [IDS]

Honorable Commissioner of Patents and Trademarks Washington, D.C. 20231

Sir:

This Information Disclosure Statement is submitted in accordance with 37 CFR §§1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

1. This IDS should be considered, in accordance with 37 CFR §1.97, as it is filed:

- [X] A. within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.
- [X] B. before the mailing date of a first Office action on the merits or before the mailing of a first Office action after the filing of a Request for Continued Examination under 37 C.F.R. §1.114.
- 2.In accordance with 37 CFR §1.98, this IDS includes a list (e.g., Form PTO/SB/08A) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. A copy of each document listed is attached.
- 3.Document(s) AA-AE is (are) not in the English language. In accordance with \$1.98(a)(3), Applicant(s) states:
  - [X] A concise explanation of the relevance of document(s) <u>AA-AE</u> is found in the attached European search report (see reply to Comment 68 in the preamble to the final rules; 1135 OG 13 at 20).
- 4. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 1135 OG 13 at 20).

5. In accordance with 37 CFR §§1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in §1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant(s) reserves the right to prove that the date of publication is in fact different.

Respectfully submitted,

BROWDY AND NEIMARK

Attorneys for Applicant(s)

By:

Sheridan Neimark Reg. No. 20,520

SN:jlu

624 Ninth Street, N.W., Suite 300

Washington, D.C. 20001-5303

Telephone: (202) 628-5197 Facsimile: (202) 737-3528

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Complete if Known Substitute for form 1449A/PTO Not Yet Filed **Application Number** INFORMATION DISCLOSURE August 13, 2003 Filing Date Franz-Xaver BERNHARD et al STATEMENT BY APPLICANT First Named Inventor Group Art Unit (use as many sheets as necessary) **Examiner Name** Sheet of 1 Attorney Docket Number **BERNHARD3** 

|                       |           |  |                   | U.S. PATENT DOCU                                | MENTS                        |   |
|-----------------------|-----------|--|-------------------|---|------------------------------|---|
|                       |           | U.S. Patent Document                     |                   | Name of Patentee or Applicant of Cited Document | Date of Publication of       | Pages, Columns, Lines,<br>Where Relevant Passages or<br>Relevant Figures Appear |
| Examiner<br>Initials* | Cite No.1 | Number Kind Code <sup>2</sup> (if known) |                   |   | Cited Document<br>MM-DD-YYYY |   |
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|                       | OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS |  |    |  |  |  |  |
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| Examiner<br>Initials* | Cite<br>No. <sup>1</sup>                          | Include name of the author (in CAPITAL LETTERS), title of article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | T² |  |  |  |  |
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| Examiner  | Date       |  |
| Signature | Considered |  |

<sup>\*</sup> EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.